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Attorneys for Defendants

Smytly, LLC and SmytlyStreets, LLC

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ATLAS DATA PRIVACY
CORPORATION, *et al.*,

Plaintiffs,

-against-

SMARTY, LLC, *et al.*,

Defendants.

Civil Case No. 1:24-cv-08075-HB

Hon. Harvey Bartle III, District Court
Judge

Motion Day: To Be Determined

(Oral Argument Requested)

DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' COMPLAINT

PLEASE TAKE NOTICE that the undersigned attorneys for Defendants, hereby move to dismiss, with prejudice, Plaintiffs' Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) (the "Motion to Dismiss");

PLEASE TAKE FURTHER NOTICE that in support of this Motion to Dismiss, Defendants will rely upon the Memorandum of Law in Support of the Motion to Dismiss, the Declaration of Kenneth D. Friedman, and the exhibits thereto, as well as any submissions offered on reply;

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is also submitted herewith.

Dated: March 18, 2025
New York, New York

Respectfully submitted,

/ s/ Kenneth D. Friedman
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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing was served via ECF on March 18, 2025, to:

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By: /s/ Kenneth D. Friedman
Kenneth D. Friedman